

Notice of Allowability

Application No.

10/608,140

Examiner

Stephen Elmore

Applicant(s)

GHEMAWAT ET AL.

Art Unit

2185

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 23 December 2005.
2. ☒ The allowed claim(s) is/are 1-39.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 12/23/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment. SE
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

SElmore 4/16/2006
STEPHEN C. ELMORE
PRIMARY EXAMINER

EXAMINER'S AMENDMENT and REASONS FOR ALLOWANCE

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. The application has been amended as follows:

IN THE CLAIMS

In Claim 35, line 1, replace "The system" with --The file system--;

In Claim 36, line 1, replace "The system" with --The file system--;

to correct an obvious typographical error.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:

In independent claims 1, 16, 17, 32, 33, 37 and 39, directed towards a method and system for performing a record append operation, and a file system, the following limitations taken in combination with the remaining features in the independent claim are not found in and or are not obvious in view of the prior art of record, giving the features "record append operation" and "record append request" the scope of meaning disclosed in the Specification, paragraph [00105] and Figure 14, Claim 1,

"receiving...a record append request" and "determining whether the record fits into the chunk; appending the record to the chunk data when the record fits into the chunk;"

Claim 16,

"means for receiving...a record append request" and "means for appending the record to the copies of the data by the one or more secondary servers.";

Claim 17,

"receive a record append request" and "determine whether the record fits into the chunk";

Claim 32,

"receiving...a record append request" and "determining whether if appending the record to the chunk data would cause the chunk data to exceed a predetermined size;"

Art Unit: 2185

Claim 33,

"receiving a record append request that identifies the record to be appended to the chunk data, where the record and the record append request are received over independent paths; and appending the record to the chunk data as an atomic unit."

Claim 37,

"receiving a plurality of record append requests" and "serializing the record append requests to establish an order for the record append requests; and appending the records to the data in the established order."

Claim 39,

"(a third one of the servers being configured to:)...receive a record append request" and "append the record to the data as an atomic unit, and forward the record append request to at least one of the first or second servers."

In independent claim 34, directed towards a file system, the following limitations taken in combination with the remaining features in the independent claim are not found in and or are not obvious in view of the prior art of record,

Claim 34,

"(a first server configured to:)...forward the record to one or more second servers identifying an offset at which the record was appended to the data by the first server; and each one of the second servers being configured to:...write the record to the data at the identified offset."

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Elmore whose telephone number is (571) 272-4436. The examiner can normally be reached on Mon-Fri from 9:30-6:00.

Art Unit: 2185

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Kim can be reached on (571) 272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 16, 2006


STEPHEN C. ELMORE
PRIMARY EXAMINER